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Docket No. 005217.P049 Stoel Rives Ref. 50588/390 Digeo Ref. 39

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Anthony F. Istvan et al.

Confirmation No. 8903

Application No. 09/877,696

Filed: June 8, 2001

FOR: SYSTEMS AND METHODS FOR ACCESSING INTERACTIVE CONTENT VIA SYNTHETIC CHANNELS

Group Art Unit: 2611

Examiner: Andrew Y. Koenig

Date: October 14, 2005

## DECLARATION OF JAMES A. BILLMAIER UNDER 37 CFR 1.131

I, James A. Billmaier, hereby declare that:

- 1. I am a co-inventor of at least claims 1, 11, 22, 28, 35, and 38 of the above-identified patent application.
- 2. Prior to April 20, 2001, I helped conceive of the idea of a system and method for accessing interactive content via synthetic channels, as described and claimed in the above-identified patent application.
- 3. Prior to April 20, 2001, one of my co-inventors, Anthony F. Istvan, sent an e-mail containing a description of the idea to James K. Okamoto, in-house patent

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counsel for Digeo, Inc. ("Digeo"). The idea was assigned a Digeo internal reference number of "39." A copy of the e-mail, which lists myself, Anthony F. Istvan, and Robert E. Novak as co-inventors, is attached hereto as Exhibit A.

- 4. With my diligent assistance, outside patent counsel filed the aboveidentified application on June 8, 2001.
- 5. I declare that those statements made of my own knowledge is true, and that all statements made on information or belief are believed to be true. This declaration is being made knowing that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of the application or any patent issuing thereon.

ames A. Billmaier

Date: 16 -17-0 S